

73-26-503 Payment of project costs.

- (1) Construction and environmental mitigation costs allocated to municipal or industrial uses shall be entirely repaid by the entities contracting for water designated for those uses.
- (2) Twenty-five percent of construction and environmental mitigation costs allocated to agricultural use shall be repaid by entities contracting for agricultural water.
- (3) The full costs of operation, maintenance, repair, and replacement allocated to municipal, industrial, and agricultural uses shall be charged to the entities contracting for water for those uses.
- (4) Project costs allocated to recreation, fish and wildlife, and flood control are not reimbursable and shall be paid entirely by the state.
- (5)
 - (a) The division shall negotiate charges with any person receiving hydropower benefits from a project.
 - (b) The charges shall, at a minimum, be sufficient to pay all project costs allocated to hydropower.
 - (c) Charges in excess of the amount necessary to pay project costs allocated to hydropower shall be deposited in the Water Resources Conservation and Development Fund.

Amended by Chapter 334, 1995 General Session